



# Daily Digest

**Federal Communications Commission**  
**445 12th St., SW**  
**Washington, D.C. 20554**

News media information 202 / 418-0500  
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**Vol. 23 No. 243**

**December 23, 2004**

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## THE FOLLOWING ITEMS ARE DATED AND RELEASED TODAY:

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### NEWS RELEASES

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FCC ACTIONS RESULT IN \$7.8 MILLION IN REFUNDS AND CREDITS TO CONSUMERS THIS YEAR. Consumers got refunds and credits totalling \$7.8 million as a result of contacting the FCC during 2004.. News Release CGB. Contact Rosemary Kimball at (202) 418-0511 [DOC-255702A1.doc](#) [DOC-255702A1.pdf](#) [DOC-255702A1.txt](#)

EFFICIENCY OF NATIONAL DO-NOT-CALL LIST IMPROVED. Effective January 1, 2005, telemarketers will have to scrub their contact lists against the national do-not-call registry every 31 days, rather than every three months, as had been the case since the do-not-call list was established in 2003.. News Release. News Media Contact: Rosemary Kimball at (202) 418-0511 CGB. Contact Erica McMahon at (202) 418-2512 [DOC-255701A1.doc](#) [DOC-255701A1.pdf](#) [DOC-255701A1.txt](#)

COMMISSION AFFIRMS FORFEITURE FOR BROADCASTING PROHIBITED ADVERTISEMENTS OVER NONCOMMERCIAL EDUCATIONAL STATION. Licensee of Noncommercial Educational Television Station KMTP-TV, San Francisco, California. News Release. News Media Contact: Janice Wise (202) 418-7450 EB [DOC-255723A1.doc](#) [DOC-255723A1.pdf](#) [DOC-255723A1.txt](#)

INTERNATIONAL BUREAU RELEASES 2003 YEAR-END CIRCUIT STATUS REPORT FOR U.S. FACILITIES-BASED INTERNATIONAL CARRIERS; CAPACITY USE SHOWS HEALTH GROWTH. News Release. News Media Contact: Jacki Ponti at (202) 418-0436 IB [DOC-255739A1.doc](#) [DOC-255739A1.pdf](#) [DOC-255739A1.txt](#)

INSTRUCTIONS ON SUBMITTING PUBLIC COMMENTS IN THE FCC'S REVIEW OF THE USE OF CELLULAR TELEPHONES ON AIRBORNE AIRCRAFT. News Release. (Dkt No 04-435). News Media Contact: g.norman.benson@fcc.gov WTB. Contact g.norman.benson@fcc.gov [DOC-255742A1.doc](#) [DOC-255742A1.pdf](#) [DOC-255742A1.txt](#)

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### PUBLIC NOTICES

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Released: 12/23/2004. FCC'S AMENDED SAFE HARBOR FOR THE NATIONAL DO-NOT-CALL REGISTRY APPROVED BY OMB. (DA No. 04-4027). (Dkt No 02-278). CGB. Contact: Erica H. Mahon at (202) 418-2512 [DA-04-4027A1.doc](#) [DA-04-4027A1.pdf](#) [DA-04-4027A1.txt](#)

Report No: TEL-00863S Released: 12/23/2004. STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING. IB [DOC-255716A1.pdf](#) [DOC-255716A1.txt](#)

Report No: TEL-00864NS Released: 12/23/2004. NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING. IB [DOC-255718A1.pdf](#) [DOC-255718A1.txt](#)

Report No: SAT-00262 Released: 12/23/2004. POLICY BRANCH INFORMATION ACTIONS TAKEN. IB. Contact: Satellite Division at (202) 418-0719; TTY (202) 418-2555 [DOC-255735A1.pdf](#) [DOC-255735A1.txt](#)

Report No: TEL-00862 Released: 12/23/2004. INTERNATIONAL AUTHORIZATIONS GRANTED. (DA No. 04-4043). IB. Contact: International Bureau's Policy Division at (202) 418-1460 [DA-04-4043A1.pdf](#) [DA-04-4043A1.txt](#)

Report No: SAT-00261 Released: 12/23/2004. SATELLITE SPACE APPLICATIONS ACCEPTED FOR FILING. IB. Contact: Satellite Division at (202) 418-2555; TTY (202) 418-2555 [DOC-255734A1.pdf](#) [DOC-255734A1.txt](#)

Released: 12/23/2004. SUREWEST TELEVIDEO FILED AN APPLICATION FOR OPEN VIDEO SYSTEM CERTIFICATION. (DA No. 04-4047). MB [DA-04-4047A1.doc](#) [DA-04-4047A1.pdf](#) [DA-04-4047A1.txt](#)

Report No: 45888 Released: 12/23/2004. BROADCAST ACTIONS. MB [DOC-255606A2.txt](#) [DOC-255606A1.pdf](#)

Report No: 25888 Released: 12/23/2004. BROADCAST APPLICATIONS. MB [DOC-255604A2.txt](#) [DOC-255604A1.pdf](#)

Released: 12/23/2004. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILING IN PERMIT-BUT-DISCLOSURE PROCEEDINGS (1 OF 2). OMD. Contact: Helen Abraham@ (202) 418-0310 [DOC-255704A1.pdf](#) [DOC-255704A1.txt](#)

Released: 12/23/2004. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILING IN PERMIT-BUT-DISCLOSURE PROCEEDINGS (2 OF 2). OMD. Contact: Helen Abraham @ (202) 418-0310 [DOC-255705A1.pdf](#) [DOC-255705A1.txt](#)

Released: 12/23/2004. COMMENTS INVITED ON PETITION FOR FORBEARANCE FILED BY THE VERIZON TELEPHONE COMPANIES WITH RESPECT TO THEIR BROADBAND SERVICES. (DA No. 04-4049). (Dkt No 04-440). Comments Due: 02/08/2005. Reply Comments Due: 03/10/2005. WCB. Contact: Brad Koerner at (202) 418-1580; E-mail brad.Koerner@fcc.gov; TTY (202) 418-0484 [DA-04-4049A1.doc](#) [DA-04-4049A1.pdf](#) [DA-04-4049A1.txt](#)

Released: 12/23/2004. REGION 16 (KANSAS) 700 MHZ PUBLIC SAFETY REGIONAL PLANNING COMMITTEE MEETING ANNOUNCEMENT. (DA No. 04-4037). WTB [DA-04-4037A1.doc](#) [DA-04-4037A1.pdf](#) [DA-04-4037A1.txt](#)

Released: 12/23/2004. WIRELESS TELECOMMUNICATIONS BUREAU REMINDS UTILITY POLE OWNERS OF THEIR OBLIGATIONS TO PROVIDE WIRELESS TELECOMMUNICATIONS PROVIDERS WITH ACCESS TO UTILITY POLES AT REASONABLE RATES. (DA No. 04-4046). WTB. Contact: Aaron Goldschmidt at (202) 418-7146; Katie Costello at (202) 418-2233 or Jonathan Reel at (202) 418-7330 [DA-04-4046A1.doc](#) [DA-04-4046A1.pdf](#) [DA-04-4046A1.txt](#)

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## TEXTS

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POWERNET GLOBAL. Denied complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/21/2004 by ORDER. (DA No. 04-3993). CGB [DA-04-3993A1.doc](#) [DA-04-3993A1.pdf](#) [DA-04-3993A1.txt](#)

SBC LONG DISTANCE. Denied complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/21/2004 by ORDER. (DA No. 04-3995). CGB [DA-04-3995A1.doc](#) [DA-04-3995A1.pdf](#) [DA-04-3995A1.txt](#)

AMERICATEL CORPORATION. Denied complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/21/2004 by ORDER. (DA No. 04-3994). CGB [DA-04-3994A1.doc](#) [DA-04-3994A1.pdf](#) [DA-04-3994A1.txt](#)

ADVANTAGE TELECOMMUNICATIONS CORPORATION. Denied the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/21/2004 by ORDER. (DA No. 04-3992). CGB [DA-04-3992A1.doc](#) [DA-04-3992A1.pdf](#) [DA-04-3992A1.txt](#)

MINORITY TELEVISION PROJECT, INC.. Denied application for review Licensee of Noncommercial Educational Television Station KMTP-TV, San Francisco, California. Action by: By the Commission. Adopted: 12/21/2004 by ORDER. (FCC No. 04-293). EB [FCC-04-293A1.doc](#) [FCC-04-293A1.pdf](#) [FCC-04-293A1.txt](#)

THE MOODY BIBLE INSTITUTE OF CHICAGO LICENSEE, KMDY-FM. Issued a monetary forfeiture in the amount of five thousand dollars (\$5,000) for failure to make available a complete public inspection file for station KMDY-FM during normal business hours.. Action by: Assistant Chief, Enforcement Bureau. Adopted: 12/21/2004 by Forfeiture Order. (DA No. 04-3991). EB [DA-04-3991A1.doc](#) [DA-04-3991A1.pdf](#) [DA-04-3991A1.txt](#)

RAMA COMMUNICATIONS, INC.. Issued a monetary forfeiture in the amount of \$18,000 for failure to maintain operational Emergency Alert System ("EAS") equipment, and failure to make available the required public file documents during regular business hours.. Action by: Assistant Chief, Enforcement Bureau. Adopted: 12/22/2004 by Forfeiture Order. (DA No. 04-4029). EB [DA-04-4029A1.doc](#) [DA-04-4029A1.pdf](#) [DA-04-4029A1.txt](#)

INTERNATIONAL BUREAU REPORT: 2003 SECTION 43.82 CIRCUIT STATUS DATA. International Bureau year-end circuit status report for U.S. facilities-based interntaional carriers.. Action by: By the Chief, International Bureau by REPORT. IB [DOC-255737A1.pdf](#) [DOC-255737A1.txt](#)

JULY 1, 2004 ANNUAL ACCESS CHARGE TARIFF FILINGS. Revises footnote 70 to eliminate confusion about the timing of the filing of complaints in overearnings cases.. (Dkt No. 04-372). Action by: Chief, Pricing Policy Division, Wireline Competition Bureau by ERRATUM. (DA No. 04-4050). WCB [DOC-255741A1.doc](#) [DOC-255741A1.pdf](#) [DOC-255741A1.txt](#)

PETITIONS OF GLOBAL CROSSING TELECOMMUNICATIONS, INC. AND SBC COMMISSIONS, INC. FOR DECLARATORY RULING. Extended the deadline for filing comments in this proceeding until January 7, 2005 and for filing reply comments until January 18, 2005. (Dkt No. 04-424). Action by: Chief, Pricing Policy Division Wireline Competition Bureau. Comments Due: 01/07/2005. Reply Comments Due: 01/18/2005. Adopted: 12/22/2004 by ORDER. (DA No. 04-4030). WCB [DA-04-4030A1.doc](#) [DA-04-4030A1.pdf](#) [DA-04-4030A1.txt](#)

PROMOTION OF SPECTRUM EFFICIENT TECHNOLOGIES ON CERTAIN PART 90 FREQUENCIES. Addressed eighteen petitions for reconsideration of the rules adopted in the Second Report and Order proceeding to promote migration to narrowband (12.5 KHZ) technology in the private land mobile radio (PLMR) services.

(Dkt No. 99-87). Action by: By the Commission:. Adopted: 12/20/2004 by MO&O. (FCC No. 04-292). WTB [FCC-04-292A1.doc](#) [FCC-04-292A1.pdf](#) [FCC-04-292A1.txt](#)

**ADDENDA: THE FOLLOWING ITEMS, RELEASED DECEMBER 22, 2004, DID NOT APPEAR IN DIGEST NO. 242:**

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**PUBLIC NOTICES**  
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Released: 12/22/2004. NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATION FROM STREAMLINED TREATMENT. (DA No. 04-4028). (Dkt No 04-421). WCB. Contact: Tracey Wilson-Parker at (202) 418-1394 or Terri Natoli at (202) 418-1574 [DA-04-4028A1.doc](#) [DA-04-4028A1.pdf](#) [DA-04-4028A1.txt](#)

Released: 12/22/2004. WIRELESS TELECOMMUNICATIONS BUREAU EXTENDS PERIOD FOR COMMENT ON AVATAR ENVIRONMENTAL LLC REPORT REGARDING MIGATORY BIRD COLLISIONS WITH COMMUNICATIONS TOWERS. (DA No. 04-4021). (Dkt No 03-187). Comments Due: 02/14/2005. Reply Comments Due: 03/14/2005. WTB [DA-04-4021A1.doc](#) [DA-04-4021A1.pdf](#) [DA-04-4021A1.txt](#)

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**TEXTS**  
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BULLSEYE TELECOM, INC.. Denied the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/17/2004 by ORDER. (DA No. 04-3956). CGB [DA-04-3956A1.doc](#) [DA-04-3956A1.pdf](#) [DA-04-3956A1.txt](#)

LCR TELECOMMUNICATIONS, LLC. Granted the complaints regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/17/2004 by ORDER. (DA No. 04-3957). CGB [DA-04-3957A1.doc](#) [DA-04-3957A1.pdf](#) [DA-04-3957A1.txt](#)

LCR TELECOMMUNICATIONS, LLC. Granted the complaints regarding unauthorized change of subscriber's telecommunications carrier. Action by: Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 12/17/2004 by ORDER. (DA No. 04-3958). CGB [DA-04-3958A1.doc](#) [DA-04-3958A1.pdf](#) [DA-04-3958A1.txt](#)

INTELSAT/ZEUS MERGER. Approved the transfer of control application filed September 10, 2004 by Intelsat and Zeus. (Dkt No. 04-366). Action by: Chief, International Bureau. Adopted: 12/22/2004 by Order Authorization. (DA No. 04-4034). IB [DA-04-4034A1.pdf](#) [DA-04-4034A1.txt](#)

IMPROVING PUBLIC SAFETY COMMUNICATIONS IN THE 800 MHZ BAND. Supplemental Order and Order on Reconsideration in 800 MHz Public Safety Proceeding. (Dkt No. 95-18 , 00-258). Action by: Commission. Adopted: 12/22/2004 by ORDER. (FCC No. 04-294). WTB. Contact Lauren Patrich (202) 418-7944 [FCC-04-294A1.doc](#) [FCC-04-294A2.doc](#) [FCC-04-294A3.doc](#) [FCC-04-294A1.pdf](#) [FCC-04-294A2.pdf](#) [FCC-04-294A3.pdf](#) [FCC-04-294A1.txt](#) [FCC-04-294A2.txt](#) [FCC-04-294A3.txt](#)

**ADDENDA: THE FOLLOWING ITEMS, RELEASED DECEMBER 21, 2004, DID NOT APPEAR IN DIGEST NO. 241:**

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**PUBLIC NOTICES**

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Released: 12/21/2004. INMARSAT GROUP HOLDINGS LIMITED FILES CERTIFICATION AND PETITION FOR DECLARATORY RULING PURSUANT TO SECTION 621(5)(F) OF THE OPEN-MARKET REORGANIZATION FOR THE BETTERMENT OF INTERNATIONAL TELECOMMUNICATIONS ACT, AS AMENDED (THE "ORBIT ACT"). (DA No. 04-4011). (Dkt No 04-439). Comments Due: 01/20/2005. Reply Comments Due: 02/04/2005. IB. Contact: JoAnn Lucanik at (202) 418-0719 or Stephen Duall at (202) 418-0719 [DA-04-4011A1.doc](#) [DA-04-4011A1.pdf](#) [DA-04-4011A1.txt](#)

Report No: AUC-04-59-B (Auction Released: 12/21/2004. MULTIPLE ADDRESS SYSTEMS SPECTRUM AUCTION SCHEDULED FOR APRIL 26, 2005. (DA No. 04-3985) Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures for Auction No. 59. WTB [DA-04-3985A1.doc](#) [DA-04-3985A1.pdf](#) [DA-04-3985A1.txt](#)